## **ENTERED**

October 26, 2017

David J. Bradley, Clerk

## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

CHEMOIL LATIN AMERICA INC.

PLAINTIFF,

V.

CINQUE TERRE FINANCIAL GROUP LTD. AND ITS ALTER EGOS ELEMENTO, LTD. (FORMERLY CT ENERGIA LTD.), CINQUE TERRE PERU S.A.C., ALESSANDRO BAZZONI, AND RICHARD ROTHENBERG (HOLDER OF UNITED STATES PASSPORT NO.: 473468141) (COLLECTIVELY "CTFG/ELEMENTO/ELEMENTO")

DEFENDANTS, AND

SK ENERGY AMERICAS, INC.

GARNISHEE.

C.A. NO. 4:17-cv-00813

IN ADMIRALTY, Rule 9(h)

## ORDER RELEASING FUNDS FROM THE REGISTRY OF THE COURT AND DISMISSING WITHOUT PREJUDICE

The Joint Motion of Plaintiff Chemoil Latin America ("Chemoil"), Stuart Mackellar as the Chapter 15 Foreign Representative for Cinque Terre Financial Group Ltd., and Defendant Elemento, Ltd. ("Elemento") to Release Funds from the Registry of the Court having come before the Court for hearing, and the Court having concluded that the Motion is in all respects well founded and that all parties with an interest in this matter having joined in the motion, it is hereby ORDER, ADJUDGED and DECREED that the Clerk to disburse the funds remaining in the registry of the Court as follows:

a. \$377,500 (Three Hundred Seventy Seven, Five Hundred United States Dollars) to the client trust account of Sequor Law, 1001 Brickell Bay Drive, 9th Floor, Miami,

Florida 33131(attention: Gregory S. Grossman, Esq), as counsel for the Foreign Representative for Cinque Terre Financial Group Ltd.

- b. \$60,000 (Sixty Thousand Dollars) to the client trust account of Simms
   Showers LLP, 201 International Circle, Suite 250, Baltimore, Maryland 21030 (attention, J.
   Stephen Simms, Esq.), as counsel for Chemoil Latin America.
- c. All remaining funds, including all accrued interest, to the client trust account of Chaffee McCall LLP, 801 Travis, Suite 1910, Houston, TX 77002 (attention, Harold K. Watson, Esq.) as counsel for Elemento. From such amount the legal fees of Chaffe McCall LLP; Harris, St. Laurent & Chaudhry LLP; and Sullivan & Worcester LLP shall be deducted for their services as counsel to Elemento. The remainder shall be released and paid to Elemento.
- d. Upon disbursement of the funds remaining in the registry of the Court as set forth above, this case will be dismissed without prejudice, each respective party to bear its own costs and attorney's fees except as may be covered by the disbursements by this Court.
- f. Although this case is dismissed without prejudice, the Court and each of the movants acknowledge that all of their respective rights, claims, disputes, or assertions regarding the funds currently held by the Clerk of this Court have been fully and finally resolved by the approval of a settlement agreement in the Bankruptcy Court for the Southern District of New York, In re: Cinque Terre Financial Group, Limited, Case No. 16-11086 (JLG) (Bankr. S.D. New York).

OCT 2 5 2017
Signed this \_\_\_\_\_ day of \_\_\_\_\_\_, 2017

UNITED STATES DISTRICT JUDGE

